



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(207)

CRM-M-13807-2025 (O&M)
Date of Decision: 23.09.2025

TAJINDERVIR SINGH BHELLEY

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Rishabh Bhandari, Advocate
for the petitioner.

Ms. Aakanksha Gupta, AAG, Punjab.

Mr. J.S. Jaidka, Advocate and
Mr. Abhishek Khullar, Advocate
for the complainant.

KIRTI SINGH, J. (ORAL)

CRM-38429-2025

Allowed as prayed for subject to all just exceptions.

CRM-M-13807-2025

1. Prayer in the present petition filed under Section 438 of Cr.P.C. (482 of the Bharatiya Nagarik Suraksha Sanhita, 2023), is for grant of anticipatory bail to the petitioner in case FIR No.153 dated 10.12.2024, under Sections 80, 85 and 3(5) of BNS, 2023, registered at Police Station Dehlon, District Police Commissionerate, Ludhiana.
2. The contents of FIR are reproduced hereinafter.

*“Statement of XXXX D/o Gori Sankar Resident House No. 76
D Block Delta City Village Rania Police Station Dehlon District
Ludhiana Age About 54 Years Mobile Number 9988811861 Stated
that I am a resident of the said address. I got married to Sushil*



Kumar, son of Sam Lal, a resident of Village Gausala, Red Division No. 03, Ludhiana. I have three children Among my three children, the eldest daughter is XXXXX, who is about 27 years old, and the younger son is Sarav Sarma, who is about 24 years old. And the youngest boy is Ridhav who is about 18 years old. I got divorced from my husband Sushil Kumar in the year 2013. I am now living in this house with my child. My daughter XXXX was married to Tejindervir Singh son of late Kulbir Singh resident of Kado Road Kulbir Palace Doraha on 09-11-2023. My daughter XXXXX had no children. After the marriage of XXXXX, her husband Tejindervir Singh, mother in law XXXXXX, XXXXX working as maid in their house, her brother Harsh Vardhan, her mother XXXXX, Kaku cousin of Tejindervir Singh, Mani, Amrik, Babri and XXXX lady often started mentally torturing my daughter, on one matter or the other. Mannindervir Singh, brother of Tejindervir Singh is residing Australia along with the family. Mannindervir Singh and his wife XXXXX often used to torture her on phone on one matter or the other. The in-laws family of my daughter XXXXX was demanding more dowry. At the time of marriage of my daughter XXXXX, articles beyond her status was given including 7 gold rings, topus to Rajbir mother in law, topus to XXXXX sister in law, gold ring to brother Mannindervir Singh, gold chain and gold ring to her husband Tejindervir Singh. My daughter was also given gold ear rings of about Rs.4,50,000/-, silver ornaments of about 800 grams. On the occasion of first Diwali of her daughter, my daughter had given Rs.50,000/- to the in-laws family on their demand and no other articles were given. Despite giving the said dowry, her in-laws family used to demand more dowry. On 20.11.2024, the in-laws family of my daughter XXXXXX beaten her and turned her out of the house. In this regard, we moved one application No.857 at Police Station Doraha, where matter could not be resolved. Now on 05.12.2024, Tejindervir Singh, husband and XXXXX, mother in law of my daughter quarrelled with my daughter, so I, along with my sister XXXXX and her husband Rajesh Joshi and Satnam Singh Dhaliwal went to daughter's in-laws house at Doraha, where both the panchayats resolved that XXXXX does not want to keep her son Tejindervir Singh and XXXXX in her house, so Tejindervir Singh and my daughter XXXX had been searching for another rental house, but on the same night, they came to my house. On the next day on 06.12.2024 also, they had been searching for rental house and came to my house in the evening. On the same night at about 7.30 P.M., Tejindervir Singh stated them that he has to make a phone call to his brother Mannindervir Singh and he will return after ten minutes. When after 15 minutes, we came outside, and saw that Tejindervir Singh was sitting in one vehicle. Bunty, his cousin and Mani were also sitting in the Car No. DL-01-CT-0375 of white colour. He used to send messages to my daughter XXXXX, but thereafter, did not return to her house, due to which my daughter got started vomiting. When she asked her the reason, she disclosed her that she has



consumed first aid tablets lying in the house, due to which her condition was deteriorated. we first took her to the Civil Hospital, Ludhiana for treatment, where her condition being serious, she was referred to DMC & H, Ludhiana, where she died on 09.12.2024 at around 9.00 P.M. The said occurrence had occurred due to demand of more dowry and harassment by her husband Tejindervir Singh, mother in law XXXX, maid XXXX, her husband Harsh Vardhan, her mother XXXXX, Mannindervir Singh, brother of Tejindervir Singh, his wife XXXXX, Kaku, cousin of Tejindervir Singh, Mani, Amrik, Babri and XXXXX Lady. Appropriate action should be taken against all of them. I wrote this statement in the presence of my son Sorav Sarma, read it, listened to it and is correct. Sd/ Prem Lata, Affidavit Sd/-Sorav Sharma 88472-24794, Verification True/ Ranjit Singh ASI Police Station Dehle District Ludhiana Date 10.12.2024.”

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present FIR on the statement of the mother of the deceased. It is submitted that the instant FIR has been registered on vague and baseless allegations. The petitioner or his family members never demanded any dowry from the deceased, rather the petitioner used to bear the expenses of the deceased, as can be evinced from Annexure P-5. In fact, on 06.08.2024, the deceased gave beatings to the mother of the petitioner, upon which the police was called and compromise was effected. As such, the parties had stopped cohabiting together. The deceased had last resided at her parental home. It is further submitted that no suicide note was also recovered in the instant case. The petitioner is willing to join investigation and cooperate.

4. *Per contra*, learned State counsel as well as learned counsel for the complainant have vehemently opposed the submissions made by the learned counsel for the petitioner and submit that there are specific and serious allegations against the petitioner. They state that the petitioner was actively involved in the commission of the offence.

5. Learned State counsel while placing reliance upon the status report dated 19.05.2025 submits that the marriage between the petitioner and



the deceased was solemnized on 09.11.2023. During the course of investigation, it was found that on 20.11.2024, a matter was reported at Police Station Doraha vide application No.857 that the daughter of the complainant had been thrown out of her matrimonial house after giving beatings. Subsequently, on 05.12.2024 another altercation took place between the daughter of the complainant and her mother-in-law, for which a panchayat was convened at her matrimonial home, where the mother-in-law refused to keep her son and daughter-in-law (since deceased) in her house. Thereafter, on 06.12.2024, the petitioner along with the daughter of the complainant were searching for a rented accommodation. At about 7:30 p.m., the petitioner went to make a call to his brother but did not return nor he answered the phone calls of the daughter of the complainant. Thereafter, her condition deteriorated due to distress and she was taken to Civil Hospital, Ludhiana, from where she was referred to DMC&H, Ludhiana, where she died on 09.12.2024. As such, it is submitted that the deceased was subjected to continuous mental cruelty and harassment at the hands of the petitioner and his family members for the sake of dowry. It is therefore averred that the custody of the petitioner is required. On a pointed query made with regard to the cause of death, learned State counsel on instructions submits that no injuries were found on the person of the deceased and as per the Chemical Examiner report dated 18.02.2025, no poison was detected, as such, it was opined that the cause of death could be cardio pulmonary arrest.

6. Heard the rival submissions made by learned counsel for the parties.

7. In *Srikant Upadhyay and others vs. State of Bihar and another, 2024 (INSC) 202 (SC)*, Hon'ble Supreme Court held as under:



*“It is thus obvious from the catena of decisions dealing with bail that even while clarifying that arrest should be the last option and it should be restricted to cases where arrest is imperative in the facts and circumstances of a case, the consistent view is that the grant of anticipatory bail shall be restricted to exceptional circumstances. In other words, the position is that the power to grant anticipatory bail under Section 438, Cr.P.C. is an exceptional power and should be exercised only in exceptional cases and not as a matter of course. Its object is to ensure that a person should not be harassed or humiliated in order to satisfy the grudge or personal vendetta of the complainant. (See the decision of this Court in *HDFC Bank Ltd. v. J.J.Mannan & Anr.* 2010 (1) SCC 679).*

*Further, it was clearly observed in para NO. 24 of the judgment (supra) that “**though in many cases it was held that bail is said to be a rule, it cannot, by any stretch of imagination, be said that anticipatory bail is the rule.** It cannot be the rule and the question of its grant should be left to the cautious and judicious discretion by the Court depending on the facts and circumstances of each case. While called upon to exercise the said power, the Court concerned has to be very cautious as the grant of interim protection or protection to the accused in serious cases may lead to miscarriage of justice and may hamper the investigation to a great extent as it may sometimes lead to tampering or distraction of the evidence. We shall not be understood to have held that the Court shall not pass an interim protection pending consideration of such application as the Section is destined to safeguard the freedom of an individual against unwarranted arrest and we say that such orders shall be passed in eminently fit cases. At any rate, when warrant of arrest or proclamation is issued, the applicant is not entitled to invoke the extraordinary power. Certainly, this will not deprive the power of the Court to grant pre-arrest bail in extreme, exceptional cases in the interest of justice. But then, person(s) continuously, defying orders and keep absconding is not entitled to such grant.”*

8. In *Sushila Aggarwal v. State (NCT of Delhi) (2018) 7 SCC 731*, the Constitution Bench reaffirmed that while considering applications for anticipatory bail, courts should consider factors such as the nature and gravity of the offences, the role attributed to the applicant, and the specific facts of the case.

9. The general rule, put tersely, may be of bail, no jail; however, a just exception may be taken where there are circumstances which might thwart the course of justice. The antecedents of the accused or the probability of the accused fleeing, intimidating witnesses or tampering with



the evidence, *inter alia*, weigh in heavy before the Court when dealing with a petition for the grant of anticipatory bail. Trite to say that gravity of offence so alleged is also one of the considerations before a Court at the time of deciding a bail petition.

10. Adverting to the case in hand, the marriage between both parties was solemnized on 09.11.2023, and the unfortunate death took place on 09.12.2024. Prima facie, there are allegations of demands of dowry and of subjecting the deceased to constant harassment levelled against the petitioner, which purportedly led her to consume some tablets, shortly whereafter she passed away. Further, prior to her death, the deceased had filed one application before the SHO, Police Station Doraha with regard to harassment caused to her by the petitioner and his family members, though subsequently withdrawn for the purpose of compromising the matter. As such, keeping in view the facts and circumstances of the instant case, this Court is not inclined to grant the concession of anticipatory bail to the petitioner.

11. Accordingly, the instant petition stands dismissed.

12. Needless to say that nothing observed hereinabove shall be construed as an expression on the merits of the case.

Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

September 23, 2025

Ithlesh

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No